REMARKS

Restriction/Election

1. In the April 10, 2008 Office Action, the Examiner imposed a restriction requirement under 35 U.S.C. §§121 and 372 against claims 1-27, and required that an election be made between:

Group I: claim(s) 1-11, in so far as they are drawn to an in vitro method for detecting the presence of a demyelinating disease in an individual, stratifying disease according to severity or monitoring therapy comprising detecting and/or quantifying the DUSP6 protein and comparing the protein levels with normal reference values;

Group II: claim(s) 1-8, 12-15 and 27, in so far as they are drawn to an in vitro method for detecting the presence of a demyelinating disease in an individual, stratifying disease according to severity or monitoring therapy comprising detecting and/or quantifying the DUSP6 mRNA or cDNA and comparing the levels with normal reference values;

Group III: claim(s) 17, drawn to an in vitro method for evaluating the efficacy of an agent for therapy comprising stimulating oligodendrocytes in culture and then contacting cells with an agent and detecting changes in DUSP6 protein expression compared to stimulated oligodendrocytes that have not been contacted with agent;

Group IV: claim(s) 19-21, in so far as they are drawn to a method for the treatment of demyelinating diseases comprising administration of an antibody agent that inhibits DUSP6 protein expression or activity;

Group V: claim(s) 19-21, in so far as they are drawn to a method for the treatment of demyelinating diseases comprising administration of a cytotoxic agent that inhibits DUSP6 protein expression or activity;

Group VI: claim(s) 19-21, in so far as they are drawn to a method for the treatment of demyelinating diseases comprising administration of a DUSP6 protein antagonist compound that inhibits DUSP6 protein expression or activity;

Group VII: claim(s) 22, in so far as it is drawn to an antisense oligonucleotide of SEQ ID NO:3;

Group VIII: claim(s) 22, in so far as it is drawn to an antisense oligonucleotide of SEQ ID NO:4;

Group IX: claim(s) 23 and 26, drawn to a kit comprising an antibody that specifically recognizes the DUSP6 protein; and

Group X: claim(s) 24-25, drawn to a kit comprising a primer pair of SEQ ID NO:1 and SEQ ID NO:2.

Applicants hereby elect, Group VI, claims 19-21 drawn to a method for the treatment of demyelinating diseases comprising administration of a DUSP6 protein antagonist compound that inhibits DUSP6 protein expression or activity.

2. The Examiner has further required that the Applicants elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. According to the Examiner, these species are deemed to lack unity of invention because they are not so linked to form a single general inventive concept under PCT Rule 13.1. Specifically, the Examiner states the species are as follows:

- The distinct demyelinating diseases as listed in Claim 2 from the group consisting of multiple sclerosis, Devic's syndrome, Baló disease, Marchiafava-Bignami disease, central pontine myelinolysis, acute disseminated encephalomyelitis, and acute necrotizing hemorrhagic encephalomyelitis.

Applicants wish to elect multiple sclerosis as the demyelinating disease.

Applicants acknowledge the Examiner's indication that examination will begin with the elected species and upon allowance of the elected species, the search will be expanded by the Examiner to consider additional species and subgenuses within the generic formula.

Conclusion

Based on the foregoing, claims 19-21 are in form and condition for examination.

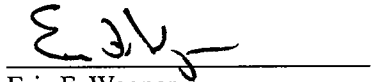
No fees are believed to be due at this time. However, should any fees be required, authorization is hereby given to charge any deficiency in applicable fees, or credit any overcharges, for this response to Deposit Account No. 13-4365 of Moore & Van Allen PLLC.

If any additional issues remain, the Examiner is requested to contact the undersigned attorney at (919) 286-8000 to discuss same.

Respectfully submitted,

MOORE & VAN ALLEN PLLC

Date: May 12, 2008

By: 

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